MULTIMEDIA UNIVERSITY

STUDENT ID NO

MULTIMEDIA UNIVERSITY

FINAL EXAMINATION

TRIMESTER 2, 2018/2019

PIL0014 – INTRODUCTION TO LAW

(Foundation of Management)

4 MARCH 2019
2.30 p.m. – 4.30 p.m.
(2 hours)

INSTRUCTIONS TO STUDENT:

1. This Question paper consists of 6 pages with 32 questions only.

2. Answer **ALL** questions in Sections A, B and C. The distribution of marks for each question is given.

3. Please write all your answers in the Answer Booklet provided.

SECTION A – TRUE/FALSE QUESTIONS (30 MARKS)

1. Laws made by the State Legislative Assemblies of Sabah and Sarawak are known as Ordinances.

2. Sources of law can be found in historical sources, legal sources and formal sources.

3. Judicial review is the power of a court to review a law or an official act of a government, employee or agent for constitutionality or for the violation of basic principles of justice.

4. In the circumstance where the King or a Ruler is to be tried under Article 182 of Federal Constitution, the Conference of Rulers has the authority to appoint three out of five judges in the Special Court.

5. The court recognises polygamous marriages in Indian customs.

6. In January 2017, Tan Sri Pudding paid a deposit of RM 15, 000 to Mrs. Baklava for a set of custom made furniture. However, Mrs. Baklava refused to execute the contract. Tan Sri Pudding may initiate his action to reinstate the deposit given in High Court.

7. According to Professor H.L.A. Hart, secondary rules in positive law are divided into rules or adjudication, rules of change and rules of recognition.

8. Public bills are initiated by the government or non-governmental organisations.

9. The standard of proof in criminal law is crucial compared to civil law. The accused in a criminal action must be proved guilty beyond a reasonable doubt.

10. When the subordinate courts are bound by the precedents set by the superior courts, the courts are deciding by using horizontal application of the Doctrine of Judicial Binding Precedent.

11. Public law is also known as civil law.

12. A person who fails to comply with an award made by the Consumer Claims Tribunal after 14 days may be liable to a fine not exceeding RM5, 000 or imprisonment for a term not exceeding two years or both.

13. A First Class Magistrates has the authority to try all offences and pass sentences other than offences punishable by death.

14. When equal votes were received at the decision of Martial Court, the court shall acquit the accused by virtue of Section 112(2) of the Armed Forces Act 1972.

15. Criminal charges in Malaysia can either be brought by the Public Prosecutor (PP) or Deputy Public Prosecutor (DPP) for crimes committed against individual and society.

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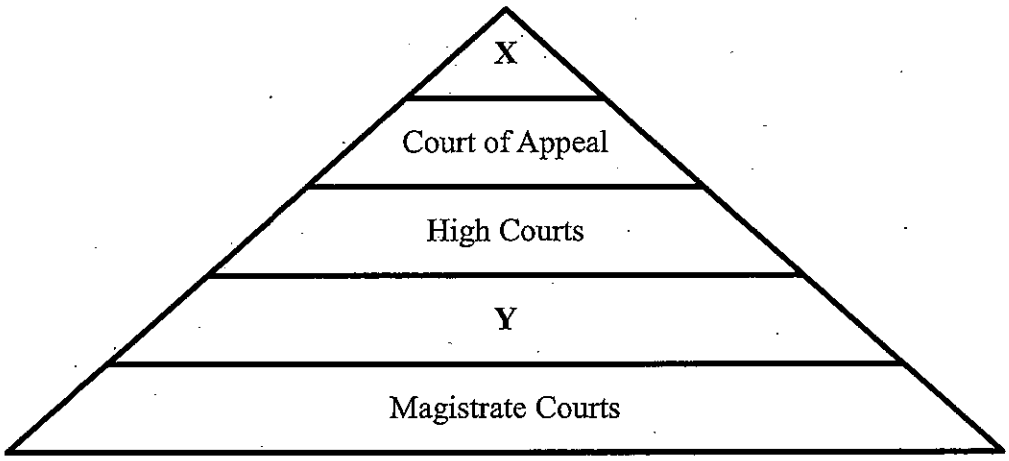
SECTION B: MULTIPLE CHOICE QUESTIONS (30 MARKS)

16. What is positive law?
    A. Law with moral power for human beings to choose between right or wrong.
    B. An unwritten law.
    C. Law which comes from sources that are universal.
    D. Law made by people.

17. Based on our practice of parliamentary democracy, there will be a general election whereby adult citizen can vote on who to govern them in _____.
    A. every five years
    B. every four years
    C. every three years
    D. every six years



Picture 1

18. Referring to *Picture 1*, which of the following is **CORRECT** to describe **X** and **Y**?

	X	Y
A.	Federal Court	Children Court
B.	Small Claims Court	Special Court
C.	Federal Court	Sessions Court
D.	Sessions Court	Federal Court

19. Administrative law can be defined as _____.
    A. law which governs independent nations in their relationships with one another.
    B. body of legal principle which concern the rights and duties arising from the impact upon the individual of the actual functioning of the executive instrument of the government.
    C. law which is created by custom alone.
    D. choices of law within a conflict of private transaction.

Continued...

20. The supremacy of the Federal Constitution of Malaysia is affirmed in _____.
    A. Article 8(1) of Federal Constitution
    B. Article 10 of Federal Constitution
    C. Article 4(1) of Federal Constitution
    D. Article 6 of Federal Constitution

21. Subsidiary legislation is also known as any of the following, **EXCEPT**:
    A. exceptional legislation
    B. delegated legislation
    C. secondary legislation
    D. subordinate legislation

I.	Substantive Limits
II.	Executive Limits
III.	Original Limits
IV.	Procedural Limits

Table 1

22. Based on the list given in *Table 1*, which of the following are the types of limitation imposed on Parliament's power?
    A. I and II only
    B. II and III only
    C. III and IV only
    D. I and IV only

23. Which of the following statement is **TRUE** on *Adat Perpatih*?
    A. It is originated by Dato' Katumanggungan.
    B. It recognises matrilineal system inherits the customary land only to daughters as only female lineage have the right to inherit their family's ancestral land.
    C. It recognises patrilineal system inherits the property of deceased based on the Syariah law where the son is entitle to inherits in a ratio of 2:1 from daughter.
    D. It includes Undang-Undang Melaka or Risalat Hukum Kanun, Undang-Undang Kerajaan of Pahang, the Kedah Digest, the Ninety-Nine Laws of Perak.

24. What is the composition of members in Martial Court?
    A. President of Martial Court and at least two officers
    B. Chief Justice of Martial Court and three officers
    C. Chief Judge of Malaya, President of Martial Court and two officers
    D. President of Martial Court and at least three officers

Continued...

25. Mr. Curry Puff entered into an agreement with Dato' Crepes for ten dozens of oranges to be supplied for Chinese New Year celebration. Two weeks before the celebration, Dato' Crepes delivered five dozens of rotten oranges and failed to deliver the balance of another five dozens. Mr. Curry Puff wants to sue Dato' Nugget to recover his loss amounting to RM3, 200. Which of the following court has the appropriate jurisdiction to try the matter?
    A. Martial Court
    B. Court for Children
    C. Small Claims Court
    D. High Court

26. Law enacted by the Parliament can be classified under any of the following, **EXCEPT**:
    A. Principal Act
    B. Amendment Act
    C. Ordinance Act
    D. Revised Act

I.	Claims not exceeding RM25, 000.
II.	The parties are entitled to attend and be heard but are not entitled to legal representation.
III.	Petition by consumer must be made within two years of the claim accruing.
IV.	Petition can only be initiated by the consumer.

Table 2

27. Based on *Table 2*, which of the following are the limitations imposed to the Consumer Claims Tribunal?
    A. I, II and III only
    B. I, II and IV only
    C. I, III and IV only
    D. II, III and IV only

28. What is the power of the Executive as one of the organs in the government?
    A. Administering the nation and ensuring that government policies are carried out in accordance with the law.
    B. Interpret and decide the cases according to the law enacted.
    C. Enact the law in accordance with the interest of the citizen.
    D. Resolve dispute or disagreements.

29. Which of the following is an example of case in private law?
    A. McCurry Restaurant (KL) Sdn. Bhd. v. McDonald's Corporation (2009)
    B. Singapore v Malaysia (1998)
    C. Jabar v PP (1995)
    D. PP v Kok Wah Kuan (2007)

Continued...

30. Any appeal against the decision of the Labour Court must be made to the High Court within _____.
    A. 11 days of receiving the decision
    B. 12 days of receiving the decision
    C. 13 days of receiving the decision
    D. 14 days of receiving the decision

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SECTION C: STRUCTURED QUESTIONS (40 MARKS)

31. The procedure of making laws, or also known as the legislative process is divided into pre-parliamentary and parliamentary stage. Explain **FOUR (4)** important stages involved during parliamentary stage.

(20 marks)

32. Explain the following:

(i) Composition of the High Court and its original jurisdiction.

(12 marks)

(ii) Jurisdiction of Court for Children

(8 marks)

[Total: 100 marks]

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